



C. Deadline to Join Other Parties. The parties propose a deadline to join other parties of April 17, 2015.

D. Deadline to Amend Pleadings. The parties propose a deadline to amend pleadings of June 1, 2015. Any responsive pleadings thereto shall be filed within 21 days of the amended pleading.

E. Fact Discovery Deadline. The parties propose a fact discovery deadline of September 4, 2015. Plaintiffs also propose that any additional fact discovery necessitated by a party's designation of an expert witness shall be completed on or before December 18, 2015. Defendants and Intervenor do not believe that such an extension of the fact discovery deadline is necessary and that Paragraph G below adequately provides the parties with time to conduct any necessary expert discovery.

F. Motions for Summary Judgment. The parties propose a summary judgment deadline the earlier of November 13, 2015 or ninety (90) days before trial.

G. Expert Witnesses. The parties propose the party having the burden of proof on an issue or claim shall designate and serve the report required by Fed. R. Civ. P. 26(a)(2)(B) on or before October 2, 2015. The party not having the burden of proof of an issue or claim shall designate and serve any responsive expert report on or before November 6, 2015. Rebuttal experts shall be designated, and reports shall be served, on or before November 27, 2015. The parties propose expert discovery be completed on or before December 18, 2015.

H. Daubert Motions. Any *Daubert* motions shall be filed no later than thirty (30) days before trial.

I. Motions in Limine. The parties propose motions in limine be filed thirty (30) days before trial.

J. Witness and Exhibit Lists. All parties shall file witness and exhibit lists thirty (30) days before trial. Any objections thereto shall be filed fourteen (14) days before trial.

K. Page/Line Designations. Page/line designations for designations of deposition testimony shall be filed thirty (30) days before trial. Objections thereto and counter-designations shall be filed fourteen (14) days before trial. Objections to counter-designations shall be filed seven (7) days before trial.

L. Trial Date. The parties propose a trial setting in February, 2016.

### **III. PARTIES' VIEWS AND PROPOSALS ON THE MATTERS LISTED IN RULE 26 (f)(3)(A)-(F)**

A. Changes to the timing, form, or requirement for disclosures. See Part II.B, above.

B. Conduct of discovery. The parties do not believe discovery should be conducted in phases.

C. Discovery of electronically stored information. The parties are currently unaware of any issues regarding discovery of electronically stored information.

D. Claims of privilege. The parties are currently unaware of any issues regarding claims of privilege. Procedure for asserting privilege will be governed by the Federal Rules.

E. Changes to limitations on discovery. Other than the limits imposed by the Federal Rules and subject to review of the actual requests for discovery, the parties do not believe any limitations on discovery should be imposed other than those already imposed by the Federal Rules.

### **IV. SETTLEMENT PROSPECTS AND MEDIATION**

The parties discussed settlement during the face-to-face meeting and believe mediation with a private mediator will be beneficial. Timing of the mediation has not yet been agreed upon.

**V. MAGISTRATE JUDGE REFERRAL**

At this time, the parties do not consent to the trial of this case before a United States Magistrate Judge but may reconsider this issue at a later date.

Respectfully submitted,

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